

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C . 552(B)(6)



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

OCT - 9 2012

1200 New Jersey Avenue SE.
Washington, DC 20590

VIA CERTIFIED MAIL AND E-MAIL

Jay Joseph, Senior Manager
Product Regulatory Office
American Honda Motor Co., Inc.
1919 Torrance Boulevard – Mailstop 500-2C-10A
Torrance, CA 90501-2746

NVS-215
AQ12-001

Re: Southern Honda Powersports/AQ12-001 – Information Request

Dear Mr. Joseph:

Earlier this year, NHTSA opened an Audit Query (AQ12-001) to determine whether Southern Honda Powersports (a/k/a Big Red Powersports LLC) of Chattanooga, Tennessee, has complied with the requirements of the National Traffic and Motor Vehicle Safety Act as amended and recodified, 49 U.S.C. § 30101 *et seq.* (Safety Act). The Safety Act requires, among other things, that a dealer not sell a new vehicle subject to a recall unless the recall remedy has been performed. 49 U.S.C. § 30120(i).

The agency is sending this information request to American Honda Motor Co, Inc. (Honda) in order to obtain further information about the 292 motorcycles identified by VIN in Attachment A.

Definitions and Instructions

Unless otherwise stated in the text, the following definitions and instructions apply to these information requests:

1. The term “Honda” means American Honda Motor Co, Inc. and its parent, Honda Motor Company LTD, including all divisions, subsidiaries and affiliated enterprises, including with respect to any of the foregoing within or outside of the United States, any parent corporation, any subsidiary or affiliate, or any subsidiary or affiliate of any parent corporation, and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Honda.

2. The term "communications" is used in the broadest sense of the word and shall mean the exchange, transfer, or relay of any ideas, messages, or information by speech, writing, or other means, whether electronic, paper, or in person.
3. The term "you" or "your" refers to Honda.
4. The term "person" includes natural persons, proprietorships, partnerships, firms, corporations, federal, state, and local governments, all departments and agencies thereof, and any other governmental agencies, political subdivisions, groups, associations, or organizations, whether located in the United States, or another country.
5. The term "relate to" or "relating to" means constituting, comprising, containing, setting forth, showing, disclosing, describing, explaining, summarizing, concerning, or referring to, directly or indirectly.
6. The terms "explain," "describe in detail," or "state in detail" mean the following:
 - a. Describe fully by reference to underlying facts rather than ultimate facts or conclusions of law or fact.
 - b. Particularize as to:
 - i. The identity of each person involved in each such event, including but not limited to persons employed by Honda and those persons purporting to act for Honda;
 - ii. The specific acts of each person participating in each such event;
 - iii. The date and time of each such event;
 - iv. The address and location of each such event; and
 - v. The identity of each person present during each such event.
7. The term "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or electronically stored information whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), electronic data on Honda motor vehicles, and faxes. For purposes of this request, any document that contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production.
8. Other Terms: To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or plural form, have the same meaning as found in 49 CFR 579.4.

9. The singular includes the plural; the plural includes the singular. The masculine gender includes the feminine and neutral genders; and the neuter gender includes the masculine and feminine genders. "And" as well as "or" shall be construed either disjunctively or conjunctively, to bring within the scope of this information request all responses that might otherwise be construed to be outside its scope. "Each" shall be construed to include "every" and "every" shall be construed to include "each." "Any" shall be construed to include "all" and "all" shall be construed to include "any." The use of a verb in any tense shall be construed as the use of the verb in a past or present tense, whenever necessary to bring within the scope of the document request all responses which might otherwise be construed to be outside its scope.

Please provide numbered responses to the following information requests. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

INFORMATION REQUESTS

Please repeat the applicable request verbatim above each response. After your response to each request, identify the source of the information and indicate the last date the information was gathered.

1. Separately, for each of the motorcycles identified by VIN in Attachment A, provide the following information:
 - a. State whether the motorcycle was included in the recall under which it is listed in Attachment A; and
 - b. If the motorcycle was included in the recall under which it is listed in Attachment A:
 - i. State whether the recall remedy was performed on that motorcycle;
 - ii. State whether the recall remedy was performed before the motorcycle was delivered to Southern Honda Powersports;
 - iii. State the date on which the recall remedy was performed on the motorcycle;
 - iv. State the identity of the entity that performed the recall remedy on the motorcycle;
 - v. State the date the motorcycle was delivered to Southern Honda Powersports;

- vi. State the date the motorcycle was sold by Southern Honda Powersports;
- vii. State the date the motorcycle was delivered to the purchaser by Southern Honda Powersports; and
- viii. State the date warranty coverage began.

Please provide your responses in a spreadsheet table in either Microsoft Access or Excel, version 2007 or later.

2. Produce copies of documents, organized by recall and by VIN, that evidence, substantiate, or are otherwise related to your responses to Information Request No. 1.
3. Separately, for each of the six recalls identified in Attachment A, and for recall 11V-310, state when Honda provided to Southern Honda Powersports notification of the recall.

If Honda cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney client, attorney work product, or other privilege, Honda does not submit one or more requested documents or items of information in response to this information request, Honda must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

All documents should be bates stamped unless they are to be provided in Microsoft Access or Microsoft Excel format. This includes documentation that Honda links electronically to any of the spreadsheets it produces in response to these requests. Unless otherwise stated, please provide documents in chronological order.

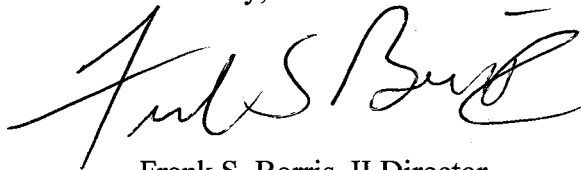
Honda's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office no later than **three weeks from the date of this letter**. If Honda finds that it is unable to provide all of the information requested within the time allotted, Honda must request an extension from me at (202) 366-8089 no later than five business days before the response due date. If Honda is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Honda then has available, even if an extension has been granted.

If Honda claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Honda must submit supporting information together with the materials that are the subject of the confidentiality

request, in accordance with 49 CFR Part 512, as amended, to the Office of Chief Counsel (NCC-111), National Highway Traffic Safety Administration, Room W41-326, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. Honda is required to submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted. Please remember that the word "CONFIDENTIAL BUSINESS INFORMATION" must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 5 U.S.C. § 512.6. If you submit a request for confidentiality for all or part of your response to this IR that is in an electronic format (e.g., CD-ROM), your request and associated submission must conform to the requirements in NHTSA's Confidential Business Information Rule regarding submissions in electronic formats (49 CFR 512.6(c)).

If you have any questions concerning this matter, please call John Piazza in the Office of Chief Counsel at (202) 366-8852.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank S. Borris, II". The signature is written in a cursive style with a large, sweeping initial "F".

Frank S. Borris, II Director
Office of Defects Investigation
Enforcement

Attachment A

Recall 07V-576

JH2SC57017M [REDACTED]

Recall 08V-141

1HFSC55037A [REDACTED]
1HFSC55047A [REDACTED]
1HFSC55017A [REDACTED]
1HFSC55057A [REDACTED]
1HFSC55097A [REDACTED]
1HFSC55087A [REDACTED]
1HFSC55057A [REDACTED]
1HFSC55057A [REDACTED]
1HFSC550X7A [REDACTED]
1HFSC55047A [REDACTED]
1HFSC55067A [REDACTED]
1HFSC55057A [REDACTED]
1HFSC55007A [REDACTED]
1HFSC55087A [REDACTED]
1HFSC55017A [REDACTED]
1HFSC55057A [REDACTED]
1HFSC55007A [REDACTED]
1HFSC55047A [REDACTED]
1HFSC55067A [REDACTED]
1HFSC55027A [REDACTED]
1HFSC55087A [REDACTED]
1HFSC55057A [REDACTED]
1HFSC55007A [REDACTED]
1HFSC55007A [REDACTED]
1HFSC55027A [REDACTED]
1HFSC55027A [REDACTED]
1HFSC55017A [REDACTED]
1HFSC55097A [REDACTED]
1HFSC55017A [REDACTED]
1HFSC55047A [REDACTED]
1HFSC55087A [REDACTED]
1HFSC55057A [REDACTED]
1HFSC55097A [REDACTED]
1HFSC55057A [REDACTED]
1HFSC55067A [REDACTED]
1HFSC55017A [REDACTED]
1HFSC55077A [REDACTED]

1HFSC55047A [REDACTED]
1HFSC55047A [REDACTED]
1HFSC55037A [REDACTED]
1HFSC55057A [REDACTED]
1HFSC55007A [REDACTED]
1HFSC55027A [REDACTED]
1HFSC55047A [REDACTED]
1HFSC550X7A [REDACTED]
1HFSC55027A [REDACTED]
1HFSC55047A [REDACTED]
1HFSC55037A [REDACTED]
1HFSC55057A [REDACTED]
1HFSC55057A [REDACTED]
1HFSC52097A [REDACTED]
1HFSC52067A [REDACTED]
1HFSC52057A [REDACTED]
1HFSC52027A [REDACTED]
1HFSC52087A [REDACTED]
1HFSC52087A [REDACTED]
1HFSC52627A [REDACTED]
1HFSC52097A [REDACTED]
1HFSC52097A [REDACTED]
1HFSC52637A [REDACTED]
1HFSC52607A [REDACTED]
1HFSC52617A [REDACTED]
1HFSC52677A [REDACTED]
1HFSC52067A [REDACTED]
1HFSC52027A [REDACTED]
1HFSC52017A [REDACTED]
1HFSC52007A [REDACTED]
1HFSC52037A [REDACTED]
1HFSC52057A [REDACTED]
1HFSC52637A [REDACTED]
1HFSC52617A [REDACTED]
1HFSC52637A [REDACTED]
1HFSC52087A [REDACTED]
1HFSC52617A [REDACTED]

1HFSC52667A [REDACTED]
1HFSC52687A [REDACTED]
1HFSC52637A [REDACTED]
1HFSC52667A [REDACTED]
1HFSC52667A [REDACTED]
1HFSC52687A [REDACTED]
1HFSC52687A [REDACTED]
1HFSC526X7A [REDACTED]
1HFSC52617A [REDACTED]
1HFSC52047A [REDACTED]
1HFSC52027A [REDACTED]
1HFSC52697A [REDACTED]
1HFSC52607A [REDACTED]
1HFSC52627A [REDACTED]
1HFSC52667A [REDACTED]
1HFSC52657A [REDACTED]
1HFSC52667A [REDACTED]
1HFSC52687A [REDACTED]
1HFSC52617A [REDACTED]
1HFSC52677A [REDACTED]
1HFSC52697A [REDACTED]
1HFSC52627A [REDACTED]
1HFSC52647A [REDACTED]
1HFSC52617A [REDACTED]
1HFSC52607A [REDACTED]
1HFSC52647A [REDACTED]
1HFSC52627A [REDACTED]
1HFSC52667A [REDACTED]
1HFSC526X7A [REDACTED]
1HFSC52657A [REDACTED]
1HFSC52637A [REDACTED]
1HFSC52617A [REDACTED]
1HFSC52687A [REDACTED]
1HFSC52617A [REDACTED]
1HFSC526X7A [REDACTED]
1HFSC52677A [REDACTED]
1HFSC526X7A [REDACTED]

1HFSC52637A
1HFSC52647A
1HFSC52607A
1HFSC52627A
1HFSC52687A
1HFSC52677A
1HFSC52697A
1HFSC52607A
1HFSC52617A
1HFSC52697A
1HFSC52647A
1HFSC52637A
1HFSC52637A
1HFSC52697A
1HFSC52697A
1HFSC52657A
JH2RC53577M
JH2RC53547M
JH2RC53537M

JH2RC53517M
JH2RC53597M
JH2RC53507M
JH2RC53527M
JH2RC53507M
JH2PC21497M
JH2PC21477M
JH2PC21407M
JH2PC21407M
JH2PC21437M
JH2PC21477M
JH2PC21417M
JH2PC21407M
JH2RC53158K
JH2RC53438K
JH2RC50028K
JH2RC50018K
JH2RC50038K
JH2RC50058K

JH2RC50078K
JH2RC50098K
JH2RC50008K
JH2RC50008K
JH2RC530X8M
JH2RC53078M
JH2RC53088M
JH2RC53008M
JH2RC53038M
JH2RC53008M
JH2RC53028M
JH2RC53048M
JH2RC53068M
JH2RC530X8M
JH2RC504X8M
JH2RC50038M
JH2RC50028M

Recall 09V-174

JH2SC59048M
JH2SC59038M
JH2SC59058M
JH2SC59078M
JH2SC59048M
JH2SC59008M
JH2SC59028M
JH2SC59068M
JH2SC59018M
JH2SC59078M
JH2SC59088M
JH2SC59018M
JH2SC59098M
JH2SC59068M
JH2SC590X8M
JH2SC59058M
JH2SC59068M
JH2SC590X8M
JH2SC59098M
JH2SC59008M
JH2SC59048M
JH2SC59068M

JH2SC59048M
JH2SC59028M
JH2SC59038M
JH2SC59078M
JH2SC59028M
JH2SC59098M
JH2SC59098M
JH2SC59088M
JH2SC590X8M
JH2SC59078M
JH2SC59008M
JH2SC59068M
JH2SC59088M
JH2SC590X8M
JH2SC59038M
JH2SC59078M
JH2SC59008M
JH2SC59038M
JH2SC59058M
JH2SC59008M
JH2SC59088M
JH2SC59018M

JH2SC59038M
JH2SC59008M
JH2SC59028M
JH2SC59008M
JH2SC59068M
JH2SC59018M
JH2SC59038M
JH2SC59048M
JH2SC590X8M
JH2SC59008M
JH2SC59018M
JH2SC59018M
JH2SC59088M
JH2SC590X8M
JH2SC59038M
JH2SC59098M
JH2SC59068M
JH2SC59098M
JH2SC59028M
JH2SC59068M
JH2SC59058M
JH2SC59008M

JH2SC59088M
JH2SC59098M
JH2SC59098M
JH2SC59068M
JH2SC59088M
JH2SC59038M
JH2SC590X8M
JH2SC59048M
JH2SC59028M
JH2SC59058M
JH2SC59098M
JH2SC59018M
JH2SC59058M
JH2SC59098M
JH2SC59048M
JH2SC590X8M
JH2SC59058M
JH2SC59098M

JH2SC59038M
JH2SC59018M
JH2SC59038M
JH2SC590X8M
JH2SC59048M
JH2SC59028M
JH2SC59018M
JH2SC59038M
JH2SC59058M
JH2SC59078M
JH2SC59098M
JH2SC59058M
JH2SC59078M
JH2SC59098M
JH2SC59028M
JH2SC59048M
JH2SC59068M
JH2SC59088M

JH2SC590X8M
JH2SC59018M
JH2SC59088M
JH2SC59008M
JH2SC59068M
JH2SC59018M
JH2SC59038M
JH2SC59078M
JH2SC59008M
JH2SC59088M
JH2SC59058M
JH2SC59018M
JH2SC59098M
JH2SC59008M
JH2SC59018M
JH2SC59098M

Recall 10V-369

JH2SC6675AK

Recall 11V-356

JH2SC5100AK

Recall 11V-567

JH2SC68M5CK
JH2SC68L6CK
JH2SC68H5CK
JH2SC68H3CK
JH2SC68H2CK